

The Honorable Benjamin Settle
Trial Date: April 16, 2013

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY
SPENCER, and KATHRYN E. TETZ,

Plaintiffs,

vs.

FORMER DEPUTY PROSECUTING
ATTORNEY FOR CLARK COUNTY JAMES
M. PETERS, DETECTIVE SHARON
KRAUSE, SERGEANT MICHAEL
DAVIDSON, CLARK COUNTY
PROSECUTOR'S OFFICE, CLARK
COUNTY SHERIFF'S OFFICE, THE
COUNTY OF CLARK, SHIRLEY SPENCER
and JOHN DOES ONE THROUGH TEN,

Defendants.

No. C11-5424BHS

[PROPOSED] ORDER GRANTING
DEFENDANT SHIRLEY SPENCER'S
MOTION TO JOIN DAVIDSON'S
SUMMARY JUDGMENT MOTION AND
FOR DISMISSAL OF PLAINTIFFS'
CLAIMS AGAINST DEFENDANT
SPENCER PURSUANT THERETO

THIS MATTER comes before the Court on Defendant Shirley Spencer's motion for
dismissal of claims against her by joining Defendant Michael Davidson's Summary Judgment
Motion for Dismissal.

The Court has considered the pleadings and files herein, including:

[proposed] ORDER GRANTING SPENCER'S
MOTION TO JOIN AND FOR DISMISSAL OF
PLAINTIFFS' CLAIMS AGAINST SPENCER
PURSUANT THERETO [No. C11-5424BHS] – 1
bd/GAW1218.466/964010

WILSON SMITH COCHRAN DICKERSON
A PROFESSIONAL SERVICE CORPORATION
901 FIFTH AVENUE, SUITE 1700
SEATTLE, WASHINGTON 98164-2050
TELEPHONE: (206) 623-4100 FAX: (206) 623-9273

1. Defendant Shirley Spencer's Motion for Summary Judgment, (Dkt. 52);
2. Declaration of Shirley Spencer in Support of Motion for Summary Judgment, (Dkt.53);
3. Declaration of Mathew Hansen in Support of Motion for Summary Judgment, (Dkt.54);
4. Plaintiffs' Response to Defendant Spencer's Motion for Summary Judgment, (Dkt.56);
5. Declaration of Kathleen T. Zellner in Support of Plaintiff's Response, (Dkt.57);
6. Defendant Shirley Spencer's Reply in Support of Motion for Summary Judgment, (Dkt.59);
7. Second Declaration of Shirley Spencer in Support of Motion for Summary Judgment, (Dkt.60);
8. Declaration of Gary Western in Support of Motion for Summary Judgment, (Dkt. 61);
9. Motion for Summary Judgment by Defendant Michael Davidson, (Dkt. 62);
10. Declaration of Jeffrey Freimund in Support of Motion for Summary Judgment by Defendant Michael Davidson and all exhibits thereto, (Dkt. 63);
11. Defendant Shirley Spencer's Motion to Join Defendant Davidson's Summary Judgment Motion;
12. _____
13. _____
14. _____
15. _____

1 The Court thus being fully apprised as to all matters relevant to the Motion, now,
2 therefore, it is hereby ORDERED that:

3 Defendant Shirley Spencer's Motion to Join Defendant Michael Davidson's Motion
4 for Summary Judgment is GRANTED and all of Plaintiffs' claims against Defendant Shirley
5 Spencer are DISMISSED with prejudice.

6
7 DATED this ____ day of _____, 2012.

8
9 _____
10 The Honorable Benjamin H. Settle
United States District Judge

11 Presented by:

12 WILSON SMITH COCHRAN DICKERSON

13 By: s/ Gary A. Western

14 By: s/ Gabriella Wagner

15 Gary A. Western, WSBA# 12878
16 Gabriella Wagner, WSBA# 42898
17 WILSON SMITH COCHRAN DICKERSON
18 901 Fifth Avenue, Suite 1700
19 Seattle, WA 98164-2050
20 Telephone: (206) 623-4100
21 Fax: (206) 623-9273
22 E-mail: western@wscd.com
23 E-mail: wagner@wscd.com
of Attorneys for Defendant Shirley Spencer

[proposed] ORDER GRANTING SPENCER'S
MOTION TO JOIN AND FOR DISMISSAL OF
PLAINTIFFS' CLAIMS AGAINST SPENCER
PURSUANT THERETO [No. C11-5424BHS] - 3
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